



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101
03 FEB 2003

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No. 7006 2760 0000 8651 1324

Mr. Carl Batliner
AK Steel Asset Management Company
5050 Section Avenue
Cincinnati, OH 45212-2025

RE: RCRA Facility Investigation Report Approval
AK Steel Facility
Kansas City, MO
EPA ID # MOD007118029

Dear Mr. Batliner:

The U. S. Environmental Protection Agency (EPA) Region 7 and the Missouri Department of Natural Resources (MDNR) Hazardous Waste Program (HWP) have received and reviewed the Supplemental Investigation Report, dated March 17, 2008, prepared by Burns & McDonnell Engineering Company. The Supplemental Investigation Report updates information previously submitted in the RCRA Facility Investigation Report (RFI Report) dated September 14, 1999, and addresses data gaps identified by the Agencies in previous comment letters. The Agencies have the following comment which may be resolved with submission of a page change:

Section 9.0, SWMU 6/AOC 4 – RCRA Permitted Baghouse Dust Storage Tanks/Boiler Furnace Area, subsection 9.5.2, PAHs, page 9-12: The text states that "Low levels of benzo(a) pyrene were noted for both the RFI and Supplemental Investigation samples . . ." Concentrations of benzo(a) pyrene still exceed the risk based screening levels due to the carcinogenicity of PAHs. Please remove "low levels" from this statement.

With the resubmission of this page change, the Agencies hereby approve both the Supplemental Investigation and RFI Report to satisfy permit condition XXX. In accordance with permit condition XXXII.A, the Director has determined that there has been a release of hazardous waste and/or hazardous constituents from on-site Solid Waste Management Units (SWMUs) that requires a Corrective Measures Study (CMS).

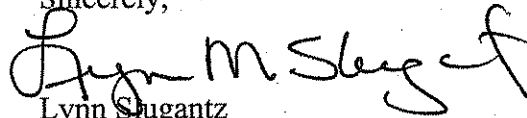
In accordance with the permit condition XXXII.B, within 45 days following notification of the requirement to conduct a CMS, the facility is required to submit a CMS Work Plan. However, as discussed in the project Monthly Status Update Conference Calls, it is agreed by both the Agencies and AK Steel that cleanup of the site will be expedited by performing Interim Measures to address priority areas that prevent the facility from meeting the EPA's program measure of "Human Exposures Controlled" (RCRAINFO code CA 725).

The first priority for Interim Measures is remediation of the Mill Ponds (SWMU 22) because it is located on property no longer owned or under the control of AK Steel. Therefore, please submit the Interim Measures Work Plan for the Mill Ponds within 30 days following receipt of this letter.

Other priorities for Interim Measures will be agreed upon along with appropriate due dates for work plan, depending on the threat to human health and the environment, and the level of complexity and planning necessary to prepare to conduct the work. Priorities and due dates for work plans will be documented in the meeting notes for the Monthly Status Update Conference Calls. If at any time either the Agencies or AK Steel chooses, upon written notification the parties will return to the process and schedule specified by permit condition XXXII.B.

Please contact Ms. Stephanie Doolan of my staff at 913-551-7719 or doolan.stephanie@epa.gov, or Ms. Christine Kump-Mitchell at the HWP at 314-416-2960 extension 256 or Christine.kump@dnr.mo.gov.

Sincerely,



Lynn Slugantz

Branch Chief

RCRA Corrective Action and Permits Branch

cc: Christine Kump-Mitchell
MDNR HWP STL Regional Office
Bruce Stuart
MDNR HWP
Sharon Shelton
Burns & McDonnell